

**REMARKS/ARGUMENTS**

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 1-36 have been canceled and new claims 37-46 have been added. Thus, claims 37-46 are pending for further examination.

Claims 1-36 were rejected under 35 USC 102(b) as being anticipated by grok-mame and MAME. Applicant respectfully submits that the new claims herein have been written in manner that clearly and patentably distinguishes the cited prior art. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

New independent claim 37 requires, *inter alia*, that the emulated and converted instructions generated during execution of the game program using the emulator program are temporarily stored in a memory of the first game machine for a predetermined period of time after a game-over condition results during execution of the game program using the emulator program. Claim 37 further requires that the emulator program include a replay program that enables the temporarily stored instructions to be executed again at the option of a user of said game information storage medium within said predetermined period of time after said game-over condition. Applicant notes that support for this features is found at, for example, the last paragraph of page 41 of the specification. Applicant respectfully submits that these features, in combination with the other claimed features, are not taught or suggested by the prior art of record. Thus, new independent claim 37 is now believed to be in condition for allowance.

The dependent claim are also believed to be in condition for allowance based on their dependency on claim 37. In addition, Applicant believes that various of the independent claim contain limitations that also constitute patentable subject matter. For example, claim 40 requires

that the storage medium further include: graphics data of a plurality of kinds of characters usable in a game; a character display/selection program which displays the respective characters prior to the execution of the game program so as to prompt a player to select a desired character out of the displayed characters; and a data replacement program which replaces the graphics data read-out by the emulator program with the graphics data of the character that has been selected by the player. In addition, claim 40 requires that the plurality of kinds of characters include characters that are not available for selection in the game program itself. These features are not taught or suggested by the prior art of record. The Gauntlet II game cited by the Examiner in the Office Action only allows selection of characters that are part of the game itself. In contrast, the invention of claim 40 allows characters to be selected for use in the game that are not part of the game itself. Thus, claim 40 is believed to be allowable for at least this additional reason.

In view of the foregoing amendments and remarks, Applicant believes that all of the pending claim clearly and patentably distinguish the prior art and are in condition for allowance. Thus, withdrawal of the rejections and passage of this case to issuance at an early date are earnestly solicited.

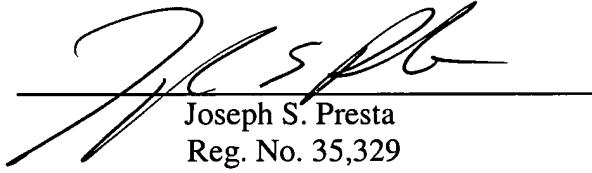
TAHO et al.  
Appl. No. 09/774,660  
August 26, 2004

Should the Examiner have any questions regarding this response, or deem that any formal matters need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:



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Joseph S. Presta  
Reg. No. 35,329

JSP:mg  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100